

AMENDMENT AND RESPONSE

Serial Number: 08/984,563

Filing Date: December 3, 1997

Title: ASYNCHRONOUSLY-ACCESSIBLE MEMORY DEVICE WITH MODE SELECTION CIRCUITRY FOR BURST OR PIPELINED OPERATION

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74. (New) The method of claim 73, wherein performing includes generating an internal column address so as to perform the desired memory operation, and wherein generating includes iterating the act of generating until terminated.

REMARKS

Applicant has carefully reviewed and considered the Office Action mailed on April 25, 2000, and the references cited therewith.

No claim is amended, no claim is canceled, and claims 70-74 are added; as a result, claims 36-39 and 59-74 are now pending in this application.

Rejections Under 35 U.S.C. §102

Claims 36-39 and 59-62 were rejected under 35 U.S.C. §102(b) as being anticipated by Manning (U.S. Patent No. 5,610,864). Applicant respectfully traverses.

The statutory language of section 102(b) provides that "[a] person shall be entitled to a patent unless ... the invention was patented ... more than one year prior to the date of the application for patent in the United States." The patent date of Manning is insufficient to support the rejection under section 102(b). Thus, the rejection is improper. Reconsideration of the rejection is respectfully requested.

The MPEP requires that "[t]he identical invention must be shown in as complete detail as is contained in the ... claim." See MPEP sec. 2131. The Office fails to show that Manning discusses the identical invention, which is claimed in applicant's application. For example, applicant is unable to find and the Office has failed to show where Manning discusses subject matter involving "selecting between a burst mode and a pipelined mode of operation of the asynchronously-accessible dynamic random access memory."

The Office opined that Manning discusses the act of selecting at column 6, lines 14-26, and column 7, lines 43-54. The Office noted that Manning discusses a "pipelined architecture" at column 5, lines 43-47. And the Office indicated that Manning discusses "switching between burst EDO and standard EDO modes of operation" at column 6, lines 14-22, and "selecting between standard fast page mode (non-EDO) and burst mode" at column 7, lines 44-55. These portions of Manning are insufficient to disclose the subject matter of the claims 36-39 and 59-62.

Applicant believes that the Office misapprehends the Manning reference, and applicant would like to clarify. Applicant has explained that EDO mode is a mode that provides a longer period of time for when data is valid at the outputs of a DRAM. *See* applicant's specification at page 3, lines 19-21. Applicant has discussed that fast page mode is a mode that uses a row address strobe to latch a row address portion of a DRAM address. *See* applicant's specification at page 2, lines 12-13. Applicant has also explained that pipelined mode is a mode that divides address information into operational times such that the address information can be provided from an external source as a stream of data. *See* applicant's specification at page 8, lines 1-13.

Because there are differences between these modes of operation, it is improper to suggest that the subject matter involving "selecting between a burst mode and a pipelined mode of operation" is discussed by Manning. In short, what is discussed by Manning is not identical to the subject matter of the present invention, and therefore, the rejection is improper.

Reconsideration and allowance of claims 36-39 and 59-62 is respectfully requested.

Rejections Under 35 U.S.C. §103

Claims 63-69 were rejected under 35 U.S.C. §103(a) as being unpatentable over Manning in view of Ryan (U.S. Patent No. 5,966,724) or Rosich et al. (U.S. Patent No. 5,587,964). Applicant respectfully traverses.

The Office has failed to state a *prima facie* case of obviousness. MPEP sec. 2143.03 requires that "[t]o establish prima facie obviousness of a claimed invention, all the claim limitations must be taught or suggested by the prior art." Applicant is unable to find and the Office has failed to show where Manning, Ryan, or Rosich et al., each alone or in combination, discuss the subject matter of the claims 63-69. Applicant has discussed that Manning is defective as a reference to show the subject matter of the present invention. The combination of Manning, Ryan, or Rosich, alone or in combination, cannot cure the defect.

Ryan discusses a synchronous memory device. *See* the Title and the Abstract of Ryan. The Office has maintained that Manning discusses an asynchronous memory device. *See* for example, page 3 of the Office Action dated April 25, 2000. The MPEP requires that the combination of the references must not change the operation of the reference being modified. *See* MPEP sec. 2143.01. Applicants respectfully submit that Manning, Ryan, or Rosich et al., in

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any combination, would be an improper combination to discuss the subject matter of the claims 63-69. An improper combination is insufficient to state a *prima facie* case of obviousness.

Reconsideration and allowance of claims 63-69 are respectfully requested.

CONCLUSION

Applicant respectfully submits that the claims are in condition for allowance and notification to that effect is earnestly requested. The Examiner is invited to telephone Applicant's attorney at (612) 371-2129 to facilitate prosecution of this application.

If necessary, please charge any additional fees or credit overpayment to Deposit Account No. 19-0743.

Respectfully submitted,

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Date October 20, 2000

By


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I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to Assistant Commissioner of Patents, Washington, D.C. 20231 on October 20, 2000.

Name

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